

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

IN RE: **NELITZA TORRES ORTIZ**
SSN xxx-xx-2963

CASE NO: **19-06358-MCF**

Debtor(s)

Chapter 13

TRUSTEE'S OBJECTION TO PROPOSED PLAN CONFIRMATION UNDER SECTION 1325

*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO FIGUEROA CARRASQUILLO***

Total Agreed: **\$4,000.00** Paid Pre-Petition: **\$525.00** Outstanding (Through the Plan): **\$3,475.00**

*TRUSTEE'S POSITION RE CONFIRMATION UNDER U.S.C. §1325

Debtor's/s' Commitment Period: ☐ Under Median Income 36 months ☒ Above Median Income 60 months §1325(b)(1)(B)
☐ The Trustee cannot determine debtor's/s' commitment period at this time. Projected Disposable Income: **\$0.00**

Liquidation Value: \$0.00 Estimated Priority Debt: \$17,373.65

If the estate were liquidated under Chapter 7, nonpriority unsecured claims would be paid approximately \$0.00

With respect to the (amended) Plan date: **Feb 13, 2020 (Dkt 22)** **Plan Base: \$30,000.00**

The Trustee: ☐ **DOES NOT OBJECT** ☒ **OBJECTS** Plan Confirmation Gen. Uns. Approx. Dist.: 1.3 %

The Trustee objects to confirmation for the following reasons:

[1325(a)(6)] Payment Default Feasibility – Debtor(s) is in default with proposed plan payments, to the trustee and/or creditor(s).

Debtor is one month, or \$500.00, in arrears with the Trustee. The pending payment pertains to the month of March 2020; which became due on the 30th day of the month.

[1325(a)(9)] Tax Requirements – Debtor(s) fails to comply with Tax Return filing requirement of [1308].

Debtor has failed to submit evidence of having filed 1040 tax returns pertaining to the years 2015 and 2018.

***OTHER COMMENTS / OBJECTIONS**

Debtor has failed to include income in SOFA.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(S), and to her/his/their attorney through CM-ECF notification system.

/s/ Jose R. Carrion, Esq.
CHAPTER 13 TRUSTEE
PO Box 9023884, San Juan PR 00902-3884
Tel. (787)977-3535 Fax (787)977-3550

/s/ Nannette Godreau, Esq.

Last Docket Verified: 26 Last Claim Verified: 13 CMC: